

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

V.

ANTONIO MARCO
QUINTANILLA,

Defendant.

No. CR 08-0621 MHP

~~PROPOSED~~ STIPULATED ORDER
TO ENTER INTO A PLEA
AGREEMENT

Hearing Date: Monday, March 16, 2009 at 9:00 a.m.

The defendant Antonio Quintanilla has been charged with a single count of being found in the United States, after having entered illegally, in violation of Section 1326 of Title 8. He has pleaded guilty without a plea agreement, and is currently scheduled for sentencing before this Court on Monday, March 16, 2009 at 9:00 a.m..

After receiving the Criminal History presentence report the parties met and conferred. The defense requested a “fast-track” disposition for Mr. Quintanilla, and the government agreed to extend a fast-track offer to the high-end of the Sentencing Guidelines range.

On March 10, 2009, the defense notified the Court that it wished to seek permission to withdraw Mr. Quintanilla's existing guilty plea on March 16. At the same appearance, the defense will then seek permission to plead guilty to a standard "fast-track" disposition, memorialized in a written plea agreement. That plea agreement has been provided to the Court.

1 will have
2 Because the Court ~~now has~~ the benefit of a Criminal History presentence report, to which there
3 are no objections, at the same appearance the defense will request that the Court impose the sentence
4 after Mr. Quintanilla pleads guilty to the written plea agreement.

5 In short, on March 16th the defense wishes to withdraw its current “open” guilty plea, then
6 plead guilty to a written “fast-track” deal, and then be sentenced on that fast-track disposition.

7 The government has no objection to these defense proposals.

8 Therefore, for good cause shown Mr. Quintanilla’s matter shall also be added to the Court’s
9 calendar on Monday, March 16 for withdrawal of plea, entry of a guilty plea pursuant to a written
plea agreement, and sentencing.

10 IT IS SO ORDERED.

11 3/11/2009
12 Dated

13 IT IS SO STIPULATED.

14 March 10, 2009
15 DATED



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17 JOSEPH RUSSONIELLO
18 United States Attorney
19 Northern District of California
KATHERINE B. DOWLING
Assistant United States Attorney

20
21 March 10, 2009
22 DATED

/s
23 BARRY J. PORTMAN
Federal Public Defender
Northern District of California
STEVEN G. KALAR
Assistant Federal Public Defender